

IN RE: PETITION FOR VARIANCE
W/S Cedar Creek Road, 620' N
of the c/l of Holly Neck Road
(1108 Cedar Creek Road)
15th Election District
5th Councilmanic District

Douglas L. Martin, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-374-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 1108 Cedar Creek Road, located in the vicinity of Holly Neck Road in Cedar Beach. The Petition was filed by the owners of the property, Douglas L. and Leona Martin, and the Contract Purchaser, Edmond L. Welsh, Jr. The Petitioners seek relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R) to permit a side yard setback of 10 feet in lieu of the required 50 feet and to permit a building on an undersized lot for a proposed dwelling. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Douglas L. Martin, property owner, and Thomas E. Phelps, Registered Property Line Surveyor. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of 15,000 sq.ft., more or less, zoned R.C. 5 and is presently unimproved. The property is located within the Chesapeake Bay Critical Areas near Sue Creek. The Petitioner purchased the property back in the 1960s and recently contracted to sell the property to Edmond L. Welsh, Jr., who wishes to construct a single family dwelling thereon. The property is

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

now zoned R.C. 5 which requires side setbacks of 50 feet each. However, the property is only 100 feet wide and 150 feet deep. In order to develop the property as proposed, the relief requested is necessary. Further testimony revealed that the Petitioners have submitted elevation drawings of the house they intend to build and that they have received approval from the various Baltimore County reviewing agencies.


After due consideration of the testimony and evidence presented, in the opinion of the Zoning Commissioner, the relief requested sufficiently complies with the requirements of Sections 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should therefore be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

The facts and evidence presented tend to establish that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner; and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for

the required 50 feet and to permit a building on an undersized lot for a proposed dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

IT IS FURTHER ORDERED that the Petitioner shall comply fully and completely with all requirements and recommendations of the Department of Environmental Protection and Resource Management (DEPRM), as set forth in their comments dated April 15, 1996, a copy of which has been attached hereto and made a part hereof.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

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Date

By

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BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

April 15, 1996

FROM: Robert A. Wirth *RAW*
DEPRM

SUBJECT: Zoning Item #373 - Martin Property
1108 Cedar Creek Road
Zoning Advisory Committee Meeting of April 8, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Development of this property must comply with the Back River Neck Special Area Management Plan. Refer applicant to DEPRM for assistance.

RAW:SA:sp

c: Douglas L. & Leona Martin

MARTIN/DEPRM/TXTSBP

ORDER RECEIVED FOR FILING

Date *5/13/96*

By *[Signature]*

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Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

1108 Ceder Creek Road

which is presently zoned

RC 5

96-374-A

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A04.3.B.3 to allow for a 10' side yard in lieu of the required 50' RC5 zone. TO PERMIT A BLDG. ON THE UNDERSIZED LOT.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) There is no contiguous ownership of undersized lots. Compliance with the 50' sideyard setback would deny any constructive use of this property.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee

Edmond L. Welsh Jr.

(Type or Print Name)

Edmond L. Welsh Jr.

Signature

6238 Radecke Ave

Address

Baltimore MD 21206

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Legal Owner(s)

Douglas L Martin

(Type or Print Name)

Douglas L. Martin

Signature

Leona Martin

(Type or Print Name)

Leona C. Martin

Signature

521 South 48th Street 284 6958

Address

Phone No

Baltimore MD 21224

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Thomas E. Phelps

Name

945 Barron Ave (410) 574 6744

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: R.T. DATE 3-29-96

ITEM # 373

MONOFILMED Zoning Administration

Printed with Soybean Ink on Recycled Paper

ORDER RECEIVED FOR FILING

Date

By

THOMAS E. PHELPS & ASSOCIATES, INC.

945 Barron Avenue
Baltimore, Maryland 21221-5202
(301) 574-6744

96-374-A

LAND SURVEYING

LAND PLANNING

ZONING DESCRIPTION FOR 1108 CEDAR CREEK ROAD
(address)
Election District 15 Councilmanic District 5

Beginning at a point on the WEST side of CEDAR
(north, south, east or west)

CREEK ROAD which is 40
(street on which property fronts) (number of feet of right-of way width)

wide at a distance of 690 NORTH of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street HOLLY NECK ROAD
(name of street)

which is 40 wide. *Being Lots # 270-272,
(number of feet of right-of-way width)

Block _____, Section # _____ in the subdivision of
CEDAR CREEK as recorded in Baltimore County Plat
(name of subdivision)

Book # 7, Folio # 186, containing
15,000
(square feet and acres)

MICROFILMED

ITEM # 373

Post by: 4/18/96
CASE NUMBER: 96--374-A (Item 373)
1108 Cedar Cre Road
W/S Cedar Creek Road, 620'+/- N of c/l Holly Neck Road
15th Election District - 5th Councilmanic
Legal Owner: Douglas L. Martin and Leona Martin
Contract Purchaser: Edmond L. Welsh, Jr.

Feb
4/14/96
J. B. J.

MICROFILMED

CERTIFICATE OF PUBLICATION

TOWSON, MD., 4/11, 19 96

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/11, 19 96.

THE JEFFERSONIAN,

LEGAL AD. - TOWSON

MICROFILMED

NOTICE OF HEARINGS

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the properly identified herein, in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204, of Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204, as follows:

Case: #96-374-A

(Item 373)

1108 Cedar Creek Road

W/S Cedar Creek Road, 6207

#-N of Off-High Neck Road

15th Election District

5th Commission

Legal Owners:

Douglas L. Martin and Lenna

Martin

Contract Purchaser:

Edmond L. Walsh, Jr.

Variance: to allow for a 10-foot side yard in lieu of the required 50 feet, and; further, relief to approve an undersized lot per Section 304, with any other relief deemed necessary by the Zoning Commissioner. Hearing: Friday, May 3, 1996 at 11:00 a.m. in Room 106, County Office Building.

LAWRENCE SCHMIDT

Zoning Commissioner for

Baltimore County

NOTES: (1) Hearings are

Handicapped Accessible, for

special accommodations

Please Call 887-3353.

(2) For information concerning the File number Hearing,

Please Call 887-3351.

4/1/83 April 11

C43969

BALTIMORE COUNTY, MARYLAND
OFFICE OF TANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No

016506

ITEM # 373

DATE 3-27-96 ACCOUNT R.001-6150

010 - VAR - \$ 50⁰⁰

080 - SIGN - \$ 35⁰⁰

AMOUNT \$ 85⁰⁰

RECEIVED FROM: E. WELSH JR. 96-374-A

FOR: RES. VAR & UNDERZED LOT HISTINE.

MICROFILMED

Reg. T. 1

DIAD000045NICHRC

\$85.00

DA 6010*07AM03-29-96

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 373 Petitioner: EDMOND L. WELSH JR.

Location: 1108 CEDAR CREEK ROAD

PLEASE FORWARD ADVERTISING BILL TO:

NAME: EDMOND L. WELSH JR.

ADDRESS: 6238 RADFORD AVE

BALTIMORE, MD. 21206

PHONE NUMBER: _____

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Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

Mr. & Mrs. Douglas L. Martin
521 South 48th Street
Baltimore, Maryland 21224

RE: PETITION FOR VARIANCE
W/S Cedar Creek Road, 620' N of the c/l of Holly Neck Road
(1108 Cedar Creek Road)
15th Election District - 5th Councilmanic District
Douglas L. Martin, et ux - Petitioners
Case No. 96-374-A

Dear Mr. & Mrs. Martin:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script that reads "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Edmond L. Welsh, Jr.
6238 Radecke Avenue, Baltimore, Md. 21206

Mr. Thomas E. Phelps
945 Barron Avenue, Baltimore, Md. 21221

People's Counsel; Case File

MICROFILMED



Printed with Soybean Ink
on Recycled Paper

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

TO: PUTUXENT PUBLISHING COMPANY

April 11, 1996 Issue - Jeffersonian

Please forward billing to:

Edmond L. Welsh, Jr.
6238 Radecke Avenue
Baltimore, MD 21206
866-8921

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-374-A (Item 373)
1108 Cedar Creek Road
W/S Cedar Creek Road, 620'+/- N of c/l Holly Neck Road
15th Election District - 5th Councilmanic
Legal Owner: Douglas L. Martin and Leona Martin
Contract Purchaser: Edmond L. Welsh, Jr.

Variance to allow for a 10-foot side yard in lieu of the required 50 feet; and further relief to approve an undersized lot per Section 304, with any other relief deemed necessary by the Zoning Commissioner.

HEARING: FRIDAY, MAY 3, 1996 at 11:00 a.m. in Room 106, County Office Building.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 8, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-374-A (Item 373)
1108 Cedar Creek Road
W/S Cedar Creek Road, 620' +/- N of c/l Holly Neck Road
15th Election District - 5th Councilmanic
Legal Owner: Douglas L. Martin and Leona Martin
Contract Purchaser: Edmond L. Welsh, Jr.

Variance to allow for a 10-foot side yard in lieu of the required 50 feet; and further relief to approve an undersized lot per Section 304, with any other relief deemed necessary by the Zoning Commissioner.

HEARING: FRIDAY, MAY 3, 1996 at 11:00 a.m. in Room 106, County Office Building.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Douglas and Leona Martin
Thomas E. Phelps
Edmond L. Welsh, Jr.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

RECEIVED





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 26, 1996

Mr. and Mrs. Douglas L. Martin
521 South 48th Street
Baltimore, MD 21224

RE: Item No.: 373
Case No.: 96-374-A
Petitioner: Douglas Martin, et ux

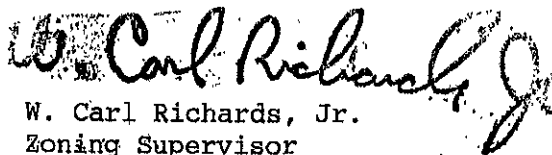
Dear Mr. and Mrs. Martin:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on April 22, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

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B A L T I M O R E C O U N T Y, M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: April 22, 1996

FROM: Arnold F. "Pat" Keller, III, Director, OP

SUBJECT: 1108 Cedar Creek Road

INFORMATION:

Item Number: 373

Petitioner: Martin Property

Property Size: _____

Zoning: RC-5

Requested Action: Variance and Undersized Lot Request

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

Staff has reviewed the information provided as part of the undersized lot process, and recommends that the applicant's request be granted.

Prepared by: _____

Division Chief: _____

PK/JL

MICROFILMED

MICROFILMED

B A L T I M O R E C O U N T Y , M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: April 15, 1996

FROM: *PWB* Robert W. Bowling, Chief
 Development Plans Review Division
 Department of Permits & Development
 Management

SUBJECT: Zoning Advisory Committee Meeting
 For April 15, 1996
 Item Nos. 362, 365, 366, 368, 371, 373,
 374, & 375

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE6

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**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoff
Administrator

4-12-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 373(RT)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-⁵⁴⁵⁻⁵⁸⁸¹~~333-1350~~ if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for *Bob Small*
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

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Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 04/09/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF APR. 08, 1996

Item No.: SEE BELOW

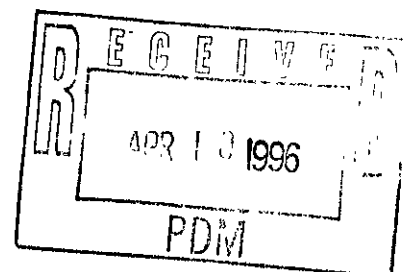
Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 362, 365, 366, 367, 368, 369,
370, 371, 372, 373, 374 AND 375.

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REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F



PETITION PROBLEMS

#362 --- JRF

Notary section is incomplete.

#373 --- RT

Petition form says nothing about undersized lot.
Folder mentions undersized lot and forms are inside
for the undersized lot procedure.

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**INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM**

TO: Director, Office of Planning and Zoning
Attn: Ervin McDaniel
County Courts Bldg, Rm 406
401 Bosley Av
Towson, MD 21204

B _____
Permit Number

ITEM# 373

FROM: Arnold Jablon, Director, Zoning Administration and Development Management

RE: **Undersized Lots**

Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommendations and comments from the Office of Planning & Zoning prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

☐ Edmond L Welsh Jr 6238 Radecke Ave Balt. MD. 21206 866 8921
Print Name of Applicant Address Telephone Number

☐ Lot Address Ceder Creek Rd Election District 15 Council District 5 Square Feet 15,000

Lot Location: N E S W / side / corner of Ceder Creek Rd 620 feet from N E S W corner of Holly Neck Rd.
(street) (street)

Land Owner Douglas & Leona Martin Tax Account Number 15-13-208710

Address 521 S 48th Street Telephone Number 284 6958
Baltimore MD 21224

☐ **CHECKLIST OF MATERIALS:** (to be submitted for design review by the Office of Planning and Zoning)

PROVIDED?

	YES	NO
1. This Recommendation Form (3 copies)	<u>X</u>	
2. Permit Application	<u>X</u>	
3. Site Plan		
Property (3 copies)	<u>X</u>	
Topo Map (available in Rm 206 C.O.B.) (2 copies) (please label site clearly)	<u>X</u>	
4. Building Elevation Drawings	<u>X</u>	
5. Photographs (please label all photos clearly)		
Adjoining Buildings	<u>X</u>	
Surrounding Neighborhood	<u>X</u>	

*PENDING &
APPROVAL*

Residential Processing Fee Paid
Codes 030 & 080 (\$85)

Accepted by _____
ZADM

Date _____

TO BE FILLED IN BY THE OFFICE OF PLANNING AND ZONING ONLY!

RECOMMENDATIONS/COMMENTS:

☐ **Approval** ☐ **Disapproval** ☐ Approval conditioned on required modifications of the permit to conform with the following recommendations:

Signed by: _____
for the Director, Office of Planning & Zoning

Date: _____

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING
FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

The application for your proposed Building Permit Application has been accepted
for filing by BALTIMORE COUNTY on _____ Date (A)

A sign indicating the proposed Building must be posted on the property for
fifteen (15) days before a decision can be rendered. The cost of filing is
\$50.00 and posting \$35.00; total \$85.00.

In the absence of a request for public hearing during the 15-day posting period,
a decision can be expected within approximately four weeks. However, if a valid
demand is received by the closing date, then the decision shall only be rendered
after the required public special hearing.

*SUGGESTED POSTING DATE _____ D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED-YES _____ NO _____ -DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) _____ C (B-3 Work Days)

TENTATIVE DECISION DATE _____ B (A + 30 Days)

*Usually within 15 days of filing

CERTIFICATE OF POSTING

District _____

Location of property: _____

Posted by: _____ Date of Posting: _____
Signature

Number of Signs: _____

CK/UNDER.LOT (TXTSOPH)

RE: PETITION FOR VARIANCE * BEFORE THE
1108 Cedar Creek Road, W/S Cedar Creek Rd, *
620'+/- N of c/l Holly Neck Road * ZONING COMMISSIONER
15th Election District, 5th Councilmanic *
Legal Owners: Douglas and Leona Martin * OF BALTIMORE COUNTY
Contract Purchaser: Edmond L. Welsh, Jr. * CASE NO. 96-374-A
Petitioners *
* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

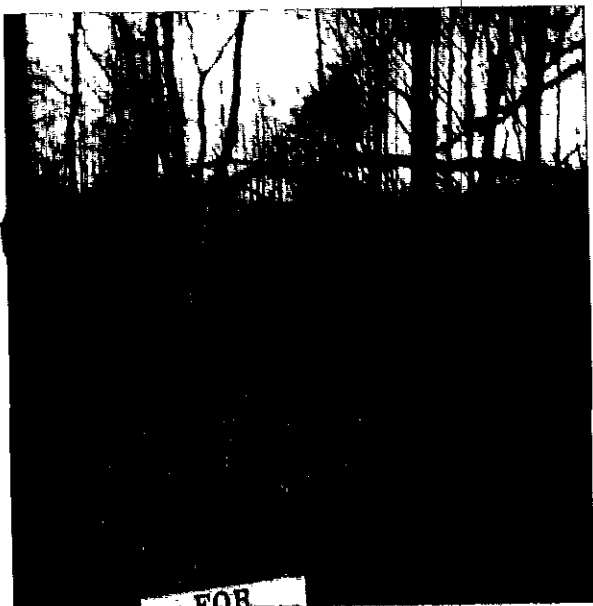
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of May, 1996, a copy of the foregoing Entry of Appearance was mailed to Thomas E. Phelps, 945 Barron Avenue, Baltimore, MD 21221, representative for Petitioners.

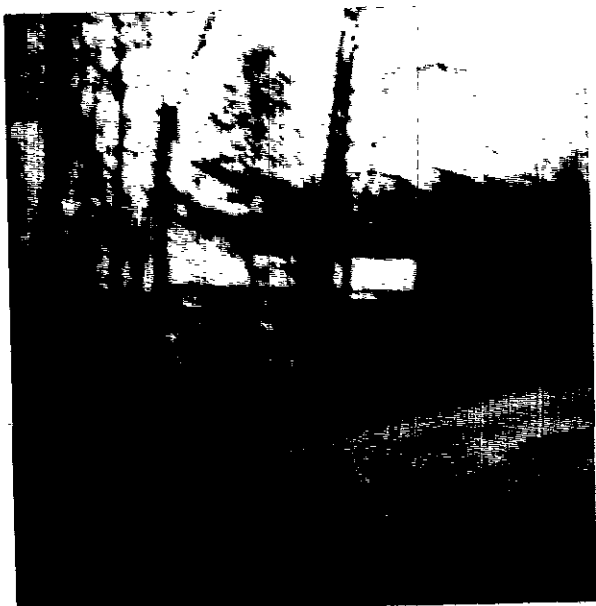
Peter Max Zimmerman

PETER MAX ZIMMERMAN

MICROFILMED



HOME LOT
ITEM # 373



LOOKING SOUTH ON EAST SIDE
ITEM # 373

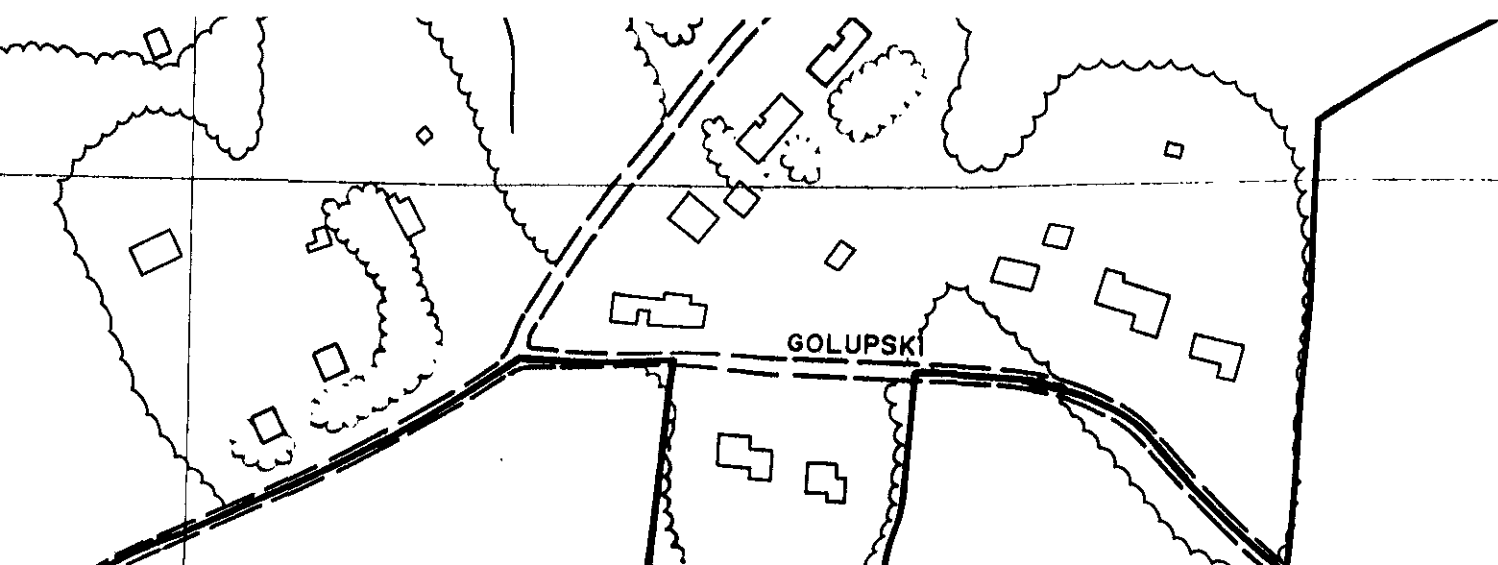


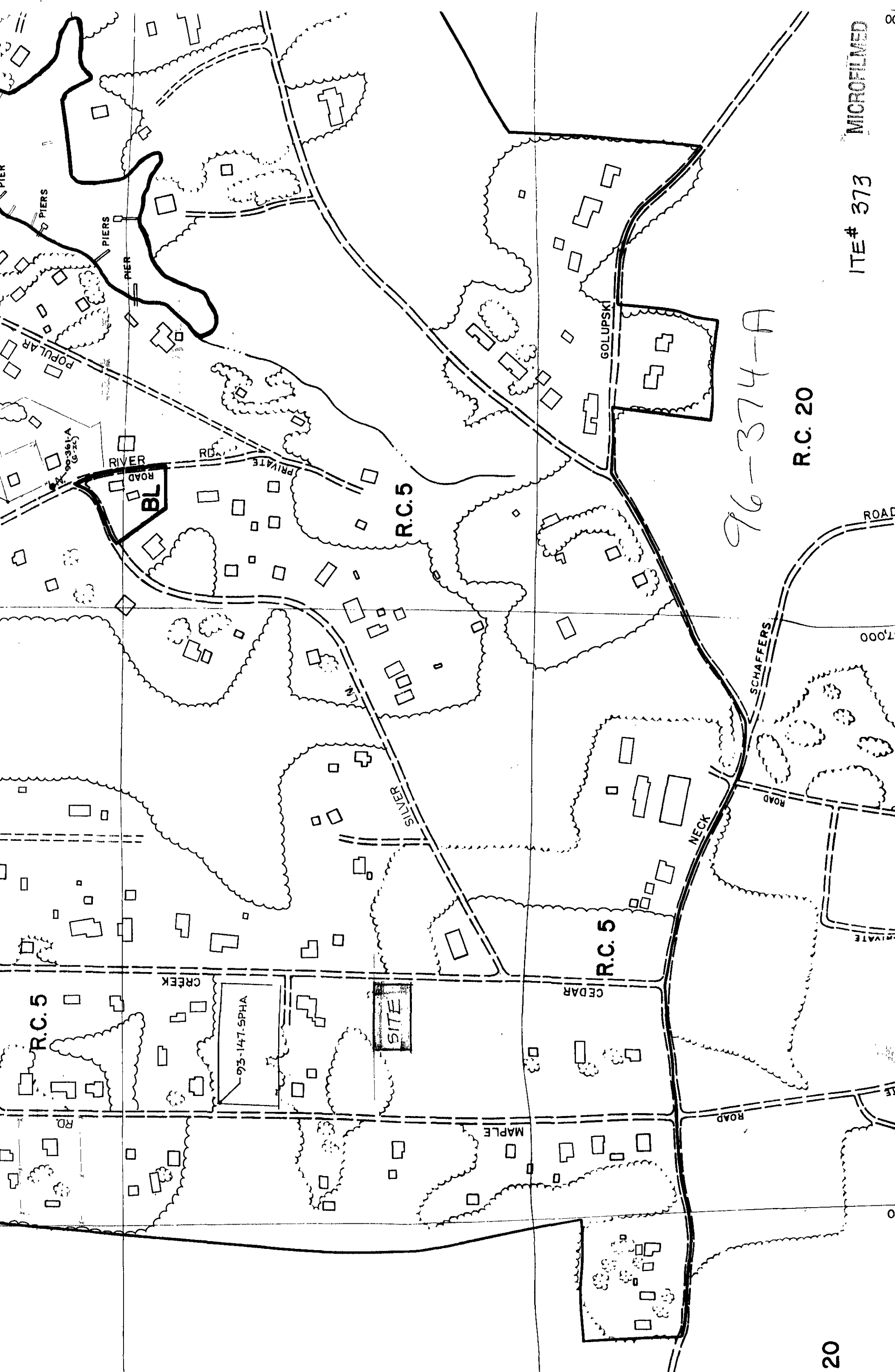
LOOKING NORTH ON EAST SIDE
ITEM # 373



LOOKING NORTH ON EAST SIDE
ITEM # 373

MICROFILMED





ITE# 373

MICROFILMED

R.C. 20

96-374-A

Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 13th day of May, 1996 that the Petition for Variance seeking relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R) to permit a side yard setback of 10 feet in lieu of

IN RE: PETITION FOR VARIANCE
W/S Cedar Creek Road, 620' N
of the c/l of Holly Neck Road
(1108 Cedar Creek Road)
15th Election District
5th Councilmanic District
Douglas L. Martin, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-374-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 1108 Cedar Creek Road, located in the vicinity of Holly Neck Road in Cedar Beach. The Petition was filed by the owners of the property, Douglas L. and Leona Martin, and the Contract Purchaser, Edmond L. Welsh, Jr. The Petitioners seek relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 10 feet in lieu of the required 50 feet and to permit a building on an undersized lot for a proposed dwelling. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Douglas L. Martin, property owner, and Thomas E. Phelps, Registered Property Line Surveyor. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of 15,000 sq.ft., more or less, zoned R.C. 5 and is presently unimproved. The property is located within the Chesapeake Bay Critical Areas near Sue Creek. The Petitioner purchased the property back in the 1960s and recently contracted to sell the property to Edmond L. Welsh, Jr., who wishes to construct a single family dwelling thereon. The property is

now zoned R.C. 5 which requires side setbacks of 50 feet each. However, the property is only 109 feet wide and 150 feet deep. In order to develop the property as proposed, the relief requested is necessary. Further testimony revealed that the Petitioners have submitted elevation drawings of the house they intend to build and that they have received approval from the various Baltimore County reviewing agencies.

After due consideration of the testimony and evidence presented, in the opinion of the Zoning Commissioner, the relief requested sufficient-ly complies with the requirements of Sections 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should therefore be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

The facts and evidence presented tend to establish that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner; and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for

- 2 -

Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 13th day of May, 1996 that the Petition for Variance seeking relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 10 feet in lieu of

- 3 -

the required 50 feet and to permit a building on an undersized lot for a proposed dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

IT IS FURTHER ORDERED that the Petitioner shall comply fully and completely with all requirements and recommendations of the Department of Environmental Protection and Resource Management (DEPRM), as set forth in their comments dated April 15, 1996, a copy of which has been attached hereto and made a part hereof.

TMK:bjs

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 5/13/96
By [Signature]

ORDER RECEIVED FOR FILING
Date 5/13/96
By [Signature]

ORDER RECEIVED FOR FILING
Date 5/13/96
By [Signature]

ORDER RECEIVED FOR FILING
Date 5/13/96
By [Signature]

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
April 15, 1996

FROM: Robert A. Wirth
DEPRM

SUBJECT: Zoning Item #373 - Martin Property
1108 Cedar Creek Road
Zoning Advisory Committee Meeting of April 8, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Development of this property must comply with the Back River Neck Special Area Management Plan. Refer applicant to DEPRM for assistance.

RAW:SA:sp

c: Douglas L. & Leona Martin
MARTIN/DEPRM/TXTSBP

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

Mr. & Mrs. Douglas L. Martin
521 South 48th Street
Baltimore, Maryland 21224

RE: PETITION FOR VARIANCE
W/S Cedar Creek Road, 620' N of the c/l of Holly Neck Road
(1108 Cedar Creek Road)
15th Election District - 5th Councilmanic District
Douglas L. Martin, et ux - Petitioners
Case No. 96-374-A

Dear Mr. & Mrs. Martin:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Edmond L. Welsh, Jr.
6238 Radecke Avenue, Baltimore, Md. 21206

Mr. Thomas E. Phelps
945 Barron Avenue, Baltimore, Md. 21221

People's Counsel; Case file



Petition for Variance to the Zoning Commissioner of Baltimore County

for the property located at 1108 Cedar Creek Road
96-374-A which is presently zoned RC 5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Sections 1A04.3.B.3 to allow for a 10' side yard in lieu of the required 50' RC5 zone. TO PERMIT A BLDG. ON THE UNDERSIZED LOT.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty). There is no contiguous ownership of undersized lots. Compliance with the 50' sideyard setback would deny any constructive use of this property.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Deputy Zoning Commissioner

Edmond L. Welsh Jr.
Douglas L. Martin
Leona Martin
Douglas L. Martin

6238 Radecke Ave
Baltimore MD 21206

City State Zipcode

Address

City State Zipcode

City State Zipcode

City State Zipcode

City State Zipcode

City State Zipcode

City State Zipcode

City State Zipcode

City State Zipcode

City State Zipcode

City State Zipcode

City State Zipcode

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City State Zipcode

City State Zipcode

City State Zipcode

1. We do solemnly swear and affirm, under the penalties of perjury, that I am the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Douglas L. Martin

Douglas L. Martin

Leona Martin

Douglas L. Martin

621 South 48th Street 284 6958

Address

Baltimore MD 21224

City State Zipcode

Address

Thomas E. Phelps

945 Barron Ave (410) 574 6744

City State Zipcode

City State Zipcode

City State Zipcode

City State Zipcode

City State Zipcode

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City State Zipcode

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City State Zipcode

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City State Zipcode

City State Zipcode

City State Zipcode

City State Zipcode

LAND SURVEYING

THOMAS E. PHELPS & ASSOCIATES, INC. 976-374-A
945 Barron Avenue
Baltimore, Maryland 21221-5102
(301) 574-6744

LAND PLANNING

ZONING DESCRIPTION FOR 1108 CEDAR CREEK RD.
Election District 15 Councilmanic District 5

Beginning at a point on the WEST side of CEDAR CREEK ROAD (north, south, east or west)

which is 40 (number of feet of right-of-way width)

wide at a distance of 60 (number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street HOLLY NECK ROAD (name of street)

which is 40 (number of feet of right-of-way width) wide. *Being lot # 15-0000.

Block _____, Section _____ in the subdivision of CEDAR CREEK (name of subdivision)

Book # 7, Folio # 186, containing 15,000 (square feet and acres)

ITEM # 373

REGISTERED PROPERTY LINE SURVEYOR MD. #174

Post by: 4/18/96
CASE NUMBER: 96-374-A (Item 373)
1108 Cedar Creek Road
W/S Cedar Creek Road, 620' +/- N of c/l Holly Neck Road
15th Election District - 5th Councilmanic
Legal Owner: Douglas L. Martin and Leona Martin
Contract Purchaser: Edmond L. Welsh, Jr.

Patented
4/11/96
HJL

CERTIFICATE OF PUBLICATION

TOWSON, MD., 4/11, 1996.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/11, 1996.

THE JEFFERSONIAN,
LEGAL AD. - TOWSON

NOTICE OF HEARING
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein at the time and place specified below.
Case #96-374-A (Item 373)
1108 Cedar Creek Road
W/S Cedar Creek Road, 620' +/- N of c/l Holly Neck Road
15th Election District - 5th Councilmanic
Legal Owner: Douglas L. Martin and Leona Martin
Contract Purchaser: Edmond L. Welsh, Jr.
Variance to allow for a 10-foot side yard in lieu of the required 50 feet; and further relief to approve an undersized lot per Section 304, with any other relief deemed necessary by the Zoning Commission.
HEARING: FRIDAY, MAY 3, 1996 at 11:00 a.m. in Room 106, County Office Building.

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE-REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

DATE: 4-11-96 ACCOUNT: 100-6150
AMOUNT: \$ 25.00
RECEIVED FROM: E. WELSH JR.
FOR: 1108 CEDAR CREEK ROAD
VALIDATION OR SIGNATURE OF CASHIER
WIFE: CASHIER PNB: AGENCY YELLOW: CASHIER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 373 Petitioner: Edmond L. Welsh, Jr.

Location: 1108 CEDAR CREEK ROAD

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Edmond L. Welsh Jr.

ADDRESS: 6238 Radecke Ave

Baltimore, MD 21206

PHONE NUMBER:

TO: FUTURE PUBLISHING COMPANY
April 11, 1996 Issue - Jeffersonian

Please forward billing to:
Edmond L. Welsh, Jr.
6238 Radecke Avenue
Baltimore, MD 21206
866-8921

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-374-A (Item 373)

1108 Cedar Creek Road
W/S Cedar Creek Road, 620' +/- N of c/l Holly Neck Road
15th Election District - 5th Councilmanic
Legal Owner: Douglas L. Martin and Leona Martin
Contract Purchaser: Edmond L. Welsh, Jr.

Variance to allow for a 10-foot side yard in lieu of the required 50 feet; and further relief to approve an undersized lot per Section 304, with any other relief deemed necessary by the Zoning Commission.

HEARING: FRIDAY, MAY 3, 1996 at 11:00 a.m. in Room 106, County Office Building.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 867-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 867-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 8, 1996

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-374-A (Item 373)

1108 Cedar Creek Road
W/S Cedar Creek Road, 620' +/- N of c/l Holly Neck Road
15th Election District - 5th Councilmanic
Legal Owner: Douglas L. Martin and Leona Martin
Contract Purchaser: Edmond L. Welsh, Jr.

Variance to allow for a 10-foot side yard in lieu of the required 50 feet; and further relief to approve an undersized lot per Section 304, with any other relief deemed necessary by the Zoning Commission.

HEARING: FRIDAY, MAY 3, 1996 at 11:00 a.m. in Room 106, County Office Building.

Arnold Jablon
Director

cc: Douglas and Leona Martin
Thomas E. Phelps
Edmond L. Welsh, Jr.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 867-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 867-3391.

Printed with Soybean Ink
on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 26, 1996

Mr. and Mrs. Douglas L. Martin
521 South 48th Street
Baltimore, MD 21224

RE: Item No.: 373
Case No.: 96-374-A
Petitioner: Douglas Martin, et ux

Dear Mr. and Mrs. Martin:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on April 22, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (867-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM DATE: April 22, 1996

FROM: Arnold F. "Pat" Keller, III, Director, OP

SUBJECT: 1108 Cedar Creek Road

INFORMATION:

Item Number: 373

Petitioner: Martin Property

Property Size:

Zoning: RC-5

Requested Action: Variance and Undersized Lot Request

Hearing Date: 1/1

SUMMARY OF RECOMMENDATIONS:

Staff has reviewed the information provided as part of the undersized lot process, and recommends that the applicant's request be granted.

Prepared by: Jeffrey M. Long

Division Chief: Edmond L. Welsh

PK/JL

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director DATE: April 15, 1996
Zoning Administration and
Development Management

FROM: Robert A. Wirth
DEPRM

SUBJECT: Zoning Item #373 - Martin Property
1108 Cedar Creek Road
Zoning Advisory Committee Meeting of April 8, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Development of this property must comply with the Back River Neck Special Area Management Plan. Refer applicant to DEPRM for assistance.

RAW:SA:sp

c: Douglas L. & Leona Martin

MARTIN/DEPRM/TXTSSP

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: April 15, 1996
Department of Permits & Development
Management

FROM: Robert W. Bowling, Chief
Development Plans Review Division
Department of Permits & Development
Management

SUBJECT: Zoning Advisory Committee Meeting
For April 15, 1996
Item Nos. 362, 365, 366, 368, 371, 373,
374, & 375

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE6



David L. Winstead
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 373 (RT)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-393-1359 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____
or _____ for Impaired Hearing or Speech

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 04/09/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF APR. 08, 1996

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 362, 363, 366, 367, 368, 369, 370, 371, 372, 373, 374 AND 375.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File
Printed with Soybean Ink
on Recycled Paper

PETITION PROBLEMS

#362 --- JRF

Notary section is incomplete.

#373 --- RT

Petition form says nothing about undersized lot.
Folder mentions undersized lot and forms are inside
for the undersized lot procedure.

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

TO: Director, Office of Planning and Zoning
Attn: Ervin McDaniel
County Courts Bldg, Rm 406
401 Bayley Ave.
Towson, MD 21204
FROM: Arnold Jablon, Director, Zoning Administration and Development Management

Permit Number
Item # 373

RE: Undersized Lots
Pursuant to Section 304.2 (Baltimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments from the Office of Planning & Zoning prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

Edmond L. Welsh Jr. 6035 Baderock Ave. Balt., MD. 21206 866 8021
Lot Address: Cedar Creek Rd. Election District 15 Council District 5 Square Feet 15,000
Lot Location: N.E.S.W. side / corner at Cedar Creek Rd. 620 West from N.E.S.W. corner at Holly Neck Rd.
Lead Owner: Douglas & Leona Martin Tax Account Number 46-15-228710
Address: 521 S 45th Street Telephone Number 284 6958
Baltimore MD 21224

CHECKLIST OF MATERIALS: (to be submitted for design review by the Office of Planning and Zoning)

	YES	NO	Residential Processing Fee Paid Codes 1301 & 1302 (P&Z)
1. This Recommendation Form (2 copies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Permit Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Accepted by: <i>DM</i> Date: _____
3. Site Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4. Building Elevation Drawings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
5. Photographs (Landscape and all photos county)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6. Surrounding Neighborhood	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

TO BE FILLED IN BY THE OFFICE OF PLANNING AND ZONING ONLY

RECOMMENDATIONS/COMMENTS:

☒ Approval ☐ Disapproval ☐ Approval conditioned on required modifications of the permit to conform with the following recommendations:

Signed by: _____
For the Director, Office of Planning & Zoning

Date: _____

RE: PETITION FOR VARIANCE
1108 Cedar Creek Road, W/S Cedar Creek Rd.,
630 +/- N of c/l Holly Neck Road
15th Election District, 5th Councilmanic
Legal Owners: Douglas and Leona Martin
Contract Purchaser: Edmond L. Welsh, Jr.
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 96-374-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Charles S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

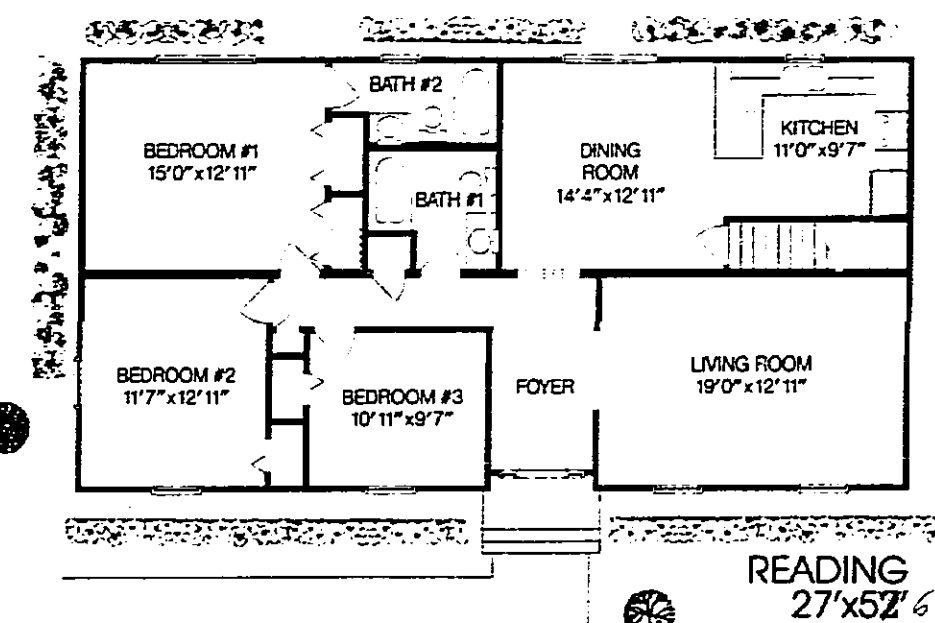
I HEREBY CERTIFY that on this 2nd day of May, 1996, a copy of the foregoing Entry of Appearance was mailed to Thomas E. Phelps, 945 Barron Avenue, Baltimore, MD 21221, representative for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

MB
A QUALITY
HOME
BUILDERS



READING

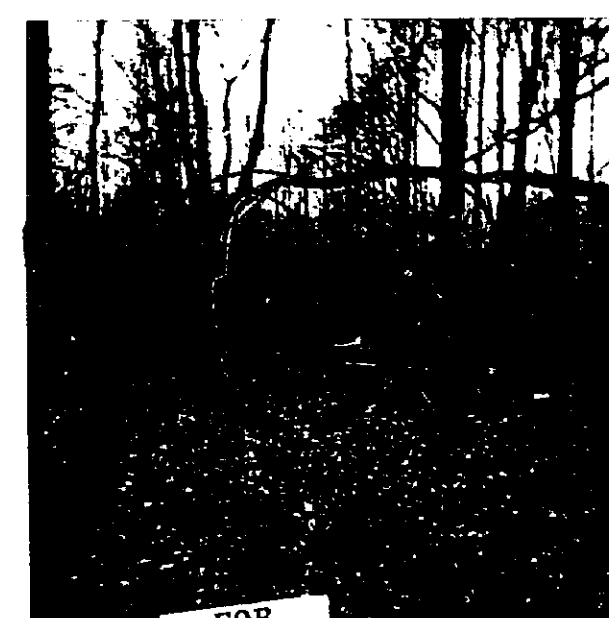


READING
27'x52'

RANCH

ITEM # 373

96-374-A



Home Lot
ITEM # 373



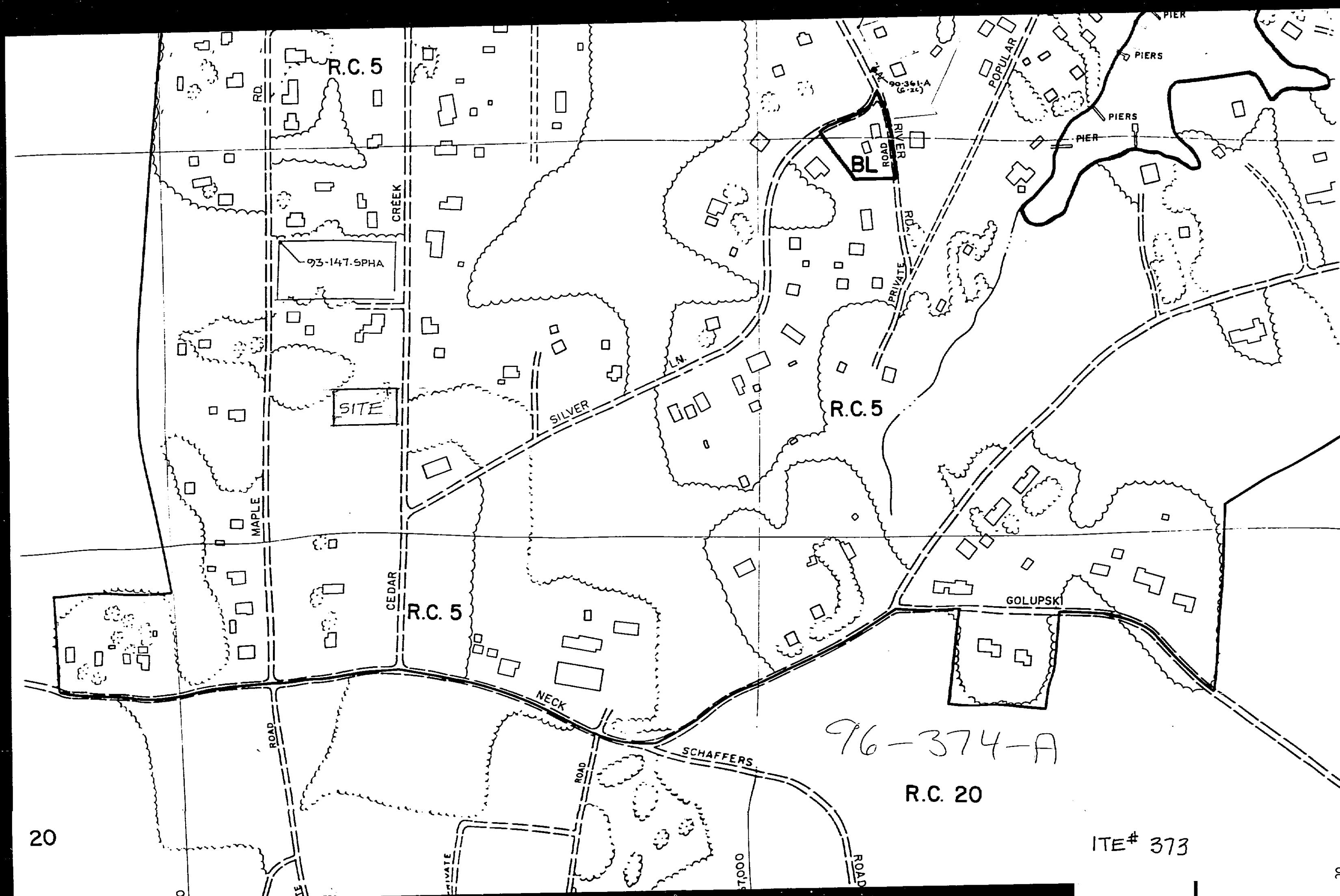
LOOKING SOUTH FROM EAST SIDE
ITEM # 373



LOOKING NORTH FROM EAST SIDE
ITEM # 373

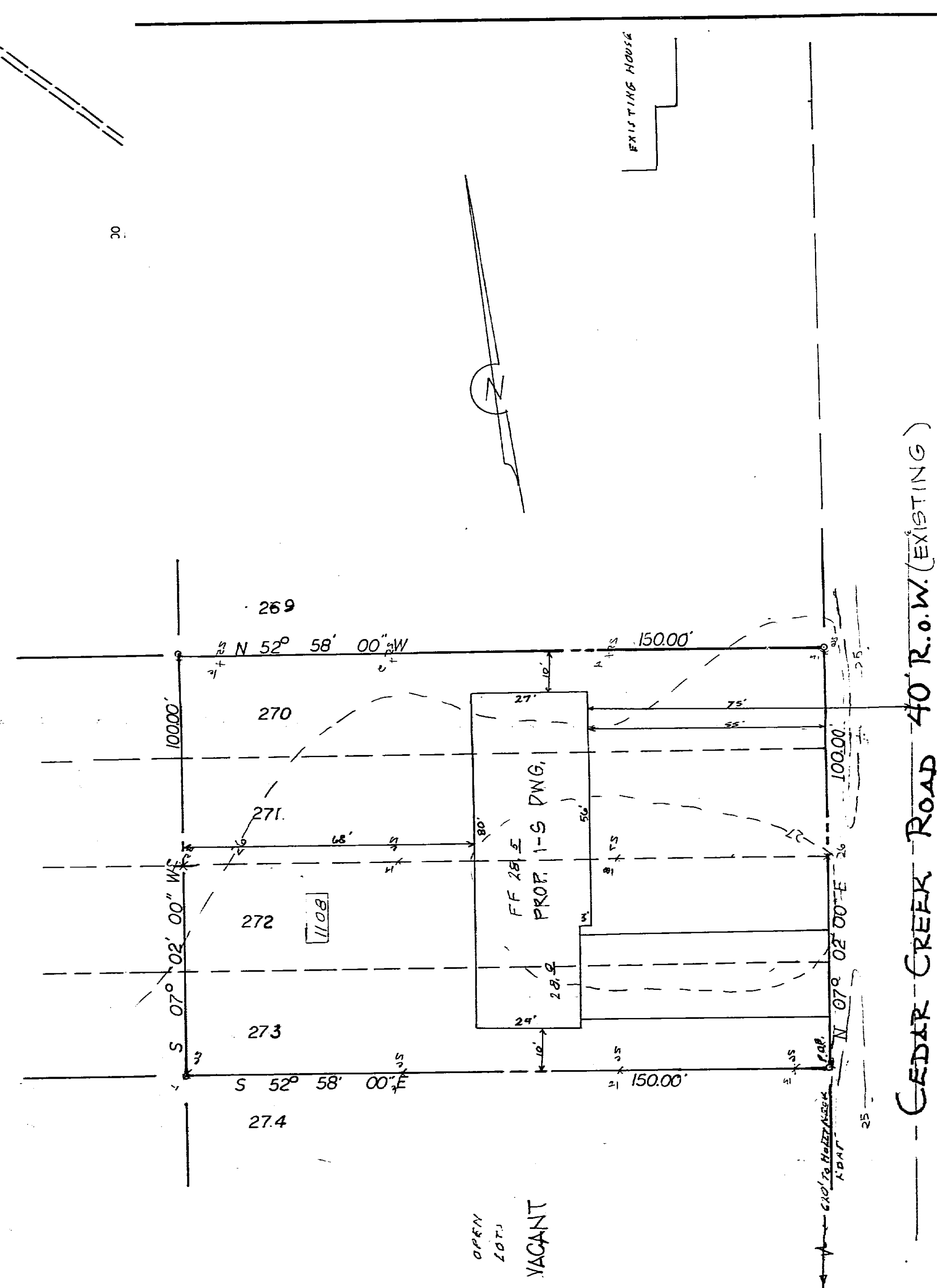


LOOKING NORTH FROM EAST SIDE
ITEM # 373



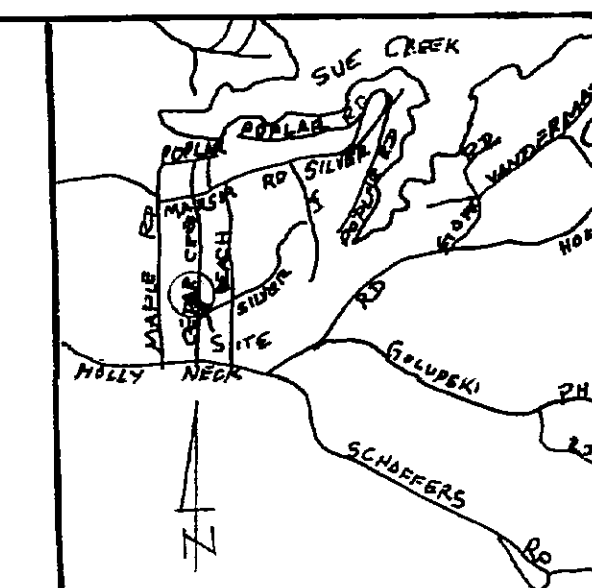
20

ITE # 373



OWNER
DANIEL & LEONA MARTIN
341 SOUTH 40TH STREET
BALTIMORE, MD. 21226
PHONE (410) 284-6750
TAX ID 15 13 202710

--- CEDAR CREEK ROAD 40' R.O.W. (EXISTING)



LOCATION PLAN

NOTES

1. ZONED R.C. 5
2. COUNCILMANIC 5
3. ELECTION DIST. 15
4. REGIONAL PLANNING DIST. 328
5. CENSUS TRACT 4510
6. PROPERTY DOES NOT LIE IN CHESAPEAKE BAY CRITICAL AREA
7. LOT SIZE: 15,000 SF
8. IMP. SURFACE ALLOWED: 3,750 SF 25%
9. IMP. SURFACE PROPOSED: 2,088 SF 13.2%
10. NO KNOWN PREVIOUS ZONING HISTORY
11. ZONING MAP: SE 2-J
12. EXISTING PUBLIC WATER & SEWER

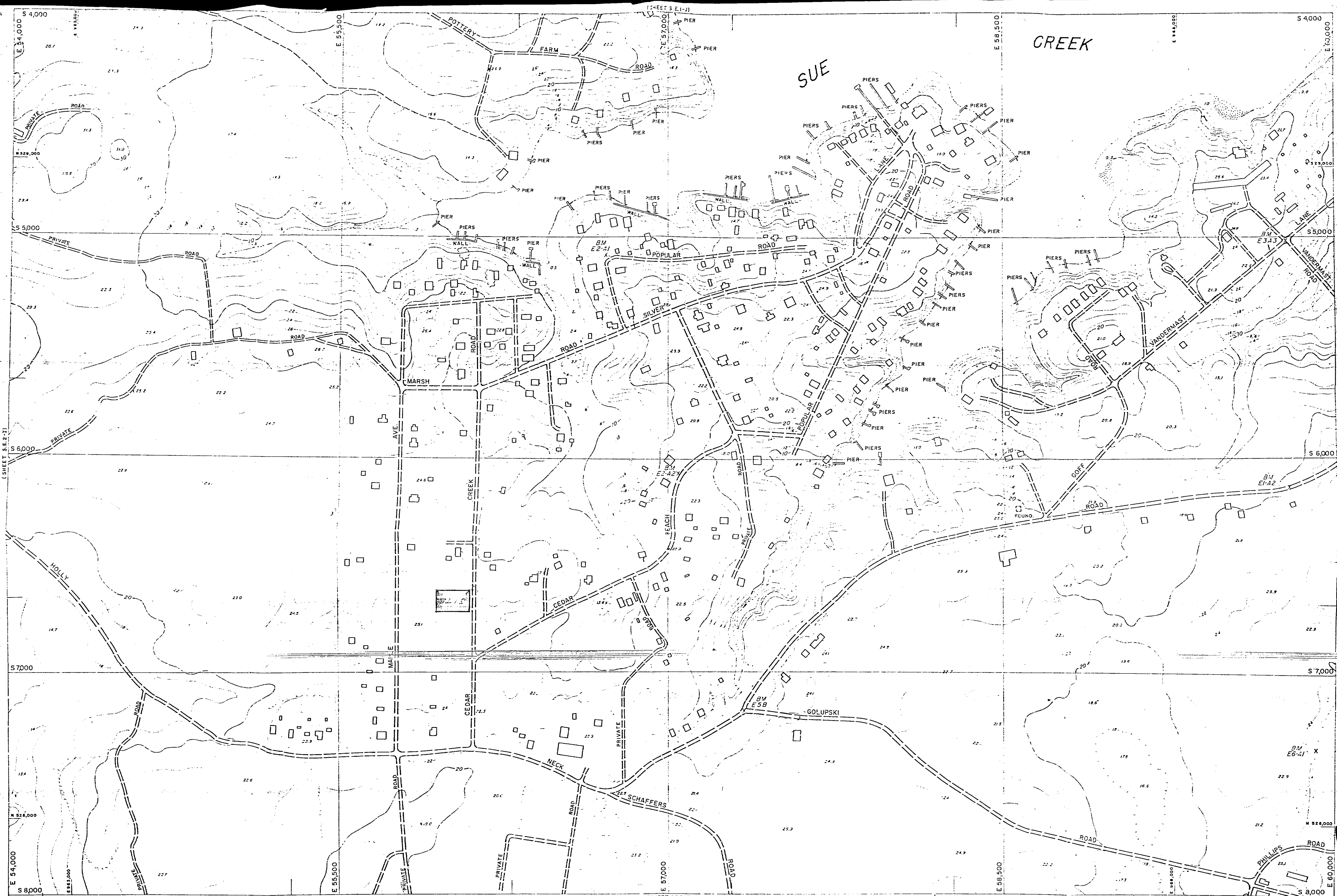
96-374-A

PLAT TO ACCOMPANY PETITION
FOR ZONING VARIANCE

ITEM # 373

THOMAS E. PHELPS & ASSO INC
945 BAYVIEW AVENUE
BALTIMORE, MARYLAND 21221
PHONE (410) 574-6744

REVISIONS			GRADING PLAN		
No.	DESC.	DATE	1108 CEDAR CREEK ROAD LOTS 270-278 OF CEDAR CREEK BALTIMORE CO., MARYLAND		
	DRAWN: T.V.V.		SCALE: 1"=20'	PLAT # 7 PE 186	
	CHECKED: T.E.P.		DATE: 2/02/96		



E-NE ZZ-NW

PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA

REVISIONS		SCALE	LOCATION	SHEET
BY	DATE			
		1" = 200'	HOLLY NECK	S.E. 2-J
		DATE OF PHOTOGRAPHY DEC. 1954	ITEM # 373	
Topography Compiled By Photogrammetric Methods ABRAMS AERIAL SURVEY CORP. LANSING MICH.				

96-374-A